

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

UNITED STATES OF AMERICA)	
)	
vs.)	CAUSE NO. 3:07-CR-107 RM
)	
LAWRENCE HELLER (02))	

OPINION AND ORDER

The court is in receipt of defendant Lawrence Heller's pro se motion for appointment of counsel and for either stay or suspension of execution of sentence or for writ of habeas corpus [doc. no. 102] and pro se motion to withdraw guilty plea due to ineffective assistance of counsel and for appointment of counsel and for stay or suspension of execution of sentence or a writ of habeas corpus [doc. no. 103]. To the extent Mr. Heller seeks a stay or suspension of execution of his sentence, the court DENIES this request for the reasons stated in the court's October 17, 2008 order. To the extent the motions seek a modification or vacating of his sentence, the court treats the motion as a supplement to Mr. Heller's 28 U.S.C. § 2255 motion [doc. no. 95] filed on October 16, 2008 and provides the government additional time of thirty days from October 21, 2008 to respond to Mr. Heller's §2255 motion and supplemental memorandum.

SO ORDERED.

ENTERED: October 22, 2008

/s/ Robert L. Miller, Jr.
Chief Judge
United States District Court